

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Applicants acknowledge with appreciation that the Examiner has indicated that claims 10, 11, 21, 22, 37, 38, 48, and 49 are allowable if rewritten in independent form.

Upon entry of this amendment, claims 10, 11, 21, 22, 37, 38, 48 and 49 will be pending. By this amendment, claims 10, 11, 21, 22, 37, 38, 48 and 49 have been amended, and claims 1-9, 12-20, 23-36, and 39-47 have been canceled.

§102 Rejection of Claims 1, 2, 6-9, 12, 13, 17-20, 23-29, 30, 34-36, 39, 40, and 44-47

In Section 2 of the Office Action, the Examiner has rejected claims 1, 2, 6-9, 12, 13, 17-20, 23-29, 30, 34-36, 39, 40, and 44-47 under 35 U.S.C. §102(e) as being unpatentable over Garland (U.S. Patent 6,366,359; hereinafter referred to as “Garland”). Claims 1, 2, 6-9, 12, 13, 17-20, 23-29, 30, 34-36, 39, 40, and 44-47 have been canceled, thereby obviating the rejections thereof. Accordingly it is respectfully requested that these rejections be withdrawn.

§103 Rejection of Claims 3-5, 14-16, 31-33, and 41-43

In Section 4 of the Office Action, the Examiner has rejected claims 3-5, 14-16, 31-33, and 41-43 under 35 U.S.C. §103(a) as being unpatentable over Garland (U.S. Patent 6,366,359; hereinafter referred to as “Garland”) and Ito et al (U.S. Patent 6,529,522; hereinafter referred to as “Ito”). Claims 3-5, 14-16, 31-33, and 41-43 have been canceled, thereby obviating the rejections thereof. Accordingly it is respectfully requested that these rejections be withdrawn.

§112 Rejection of Claims 23-29

In Section 6 of the Office Action, the Examiner has rejected claims 23-29 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 23-29 have been canceled, thereby obviating the rejections thereof. Accordingly it is respectfully requested that these rejections be withdrawn.

Allowable Subject Matter

In Section 7 of the Office Action, the Examiner has objected to claims 10, 11, 21, 22, 37, 38, 48, and 49 as being dependent on rejected base claims. Claims 10, 11, 21, 22, 37, 38, 48, and 49 have been rewritten in independent form and include the limitations of their base claims. Accordingly, it is respectfully requested that these objections to claims 10, 11, 21, 22, 37, 38, 48, and 49 be withdrawn.

CONCLUSION

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 10, 11, 21, 22, 37, 38, 48 and 49 is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: 
Hans R. Mahr, Reg. No. 46,138 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800